

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SA CV 25-00407-DFM

Date: May 22, 2025

Title Miguel Hernandez v. Steve Porretta et al.

Present: The Honorable Douglas F. McCormick, United States Magistrate Judge	
Nancy Boehme	Court Reporter
Deputy Clerk	Not Present
Attorney(s) for Plaintiff(s):	Attorney(s) for Defendant(s):
Not Present	Not Present
Proceedings: (IN CHAMBERS) Order to Show Cause	

On March 3, 2025, Plaintiff Miguel Hernandez, who is represented by counsel, filed a complaint against Defendants Steve Porretta, Donna L. Kaeser, and unnamed Doe Defendants 1-10. See Dkt. 1. On April 10, 2025, Plaintiff filed Proofs of Service, indicating that Kaeser and Porretta were personally served on March 23 and March 27, 2025. See Dkts. 7, 8. Answers were thus due by April 14 and 17, 2025. See Fed. R. Civ. P. 12(1)(A)(i).

On April 17, 2025, Kaeser filed a stipulation extending her time to file an Answer to May 14, 2025. See Dkt. 11. On April 18, 2025, Plaintiff requested an entry of default against Kaeser and Porretta. See Dkts. 13, 15. That same day, however, Plaintiff filed a Notice of Errata stating his request for the Clerk of this Court to enter default against Kaeser was inadvertently filed and should be disregarded. See Dkt. 14. The Clerk thus entered default against Porretta on April 23, 2025, but did not enter default against Kaeser. See Dkts. 16, 17.

As of the date of this Order, neither Kaeser nor Porretta have filed an Answer or otherwise responded to the Complaint. Moreover, Plaintiff has not requested an entry of default against Kaeser or filed a motion for default judgment against Porretta. It is Plaintiff's responsibility to move this case toward completion.

Accordingly, Plaintiff is ORDERED TO SHOW CAUSE within twenty-one (21) days why this action should not be dismissed for failure to prosecute. In lieu of a written response, Plaintiff may do one of the following: (1) seek entry of default and/or default judgment; (2) file a notice of voluntary dismissal under Fed. R. Civ. P. 41; or (3) cause by some means an answer or other filing to be made by Kaeser and Porretta.